

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

FREDRICK DANIELS,  
Plaintiff,  
v.  
JAMES DZURENDA, *et al.*,  
Defendants.

Case No. 2:24-cv-02217-RFB-EJY

**ORDER CONFIRMING VOLUNTARY  
DISMISSAL AND CLOSING CASE**

State prisoner Fredrick Daniels brings this civil-rights action to redress constitutional violations that he allegedly suffered while incarcerated at High Desert State Prison. In response to the Court's order setting a deadline for Plaintiff to file a signed amended complaint and address the matter of the filing fee, Plaintiff filed a motion to dismiss this action without prejudice, arguing that he is in the process of exhausting his administrative remedies. ECF No. 5. Voluntary dismissals do not require a court order when, like here, no party has served "either an answer or a motion for summary judgment[.]" Fed. R. Civ. P. 41(a)(1)(A)(i).

**IT IS THEREFORE ORDERED** that the motion for voluntary dismissal (ECF No. 5) is construed as a notice of voluntary dismissal under Rule 41(a)(1)(A)(i), and this action is **DISMISSED without prejudice**.

The Clerk of the Court is directed to **CLOSE this case**.

**DATED:** January 30, 2025



**RICHARD F. BOULWARE, II**  
**UNITED STATES DISTRICT JUDGE**